IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17870 of 2008
DINESH KEWAT
Versus
STATE OF BIHAR
---

2 08.05.2008 This is an application for the grant of regular bail in a case of dowry death.

Siyalal Kewat filed a petition of complaint giving rise to Phulbarisarif P.S.Case No.346 of 2000 for the death of his daughter Lakshmi Devi married to Dinesh Kewat against her husband and others. After investigation final report mistake of facts was submitted and the final report was accepted. On the basis of protest petition enquiry under Section 202 Cr.P.C. was held and complaint petition after enquiry was dismissed by the Magistratre. Against the order of dismissal the complainant/informant filed a revision and the revision was allowed and thereafter cognizance of the offence under Sections 498A, 304B, 201 and 120B of the I.P.C. was taken against the petitioners.

WEB COPY NOT OFFICIAL

Learned lawyer for the petitioner submits that final report has been submitted after due investigation showing mistake of fact and thereafter another protest-cum-complaint petition after due enquiry was dismissed. He submits that although the provisional court set aside the order of the Magistrate dismissing the petition of complainant and as per his direction cognizance of the offence has been taken. He submits that considering the submission of final report and dismissal of the complaint by the Magistrate it appears that the

petitioner is as a matter of fact innocent and therefore be released on bail.

Considering the facts and circumstances of the case and submissions made the Dinesh Kewat is directed to be released on bail on furnishing bail bond of Rs.10.000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Patna in connection with Phulwari Sharif (Gaurichak) P.S.Case No.256 of 2000 arising out of Complaint Case No.1318 © of 1999.

Mkr. **(Anwar Ahmad, J)**

WEB COPY NOT OFFICIAL